

HERMAN K. ALLEN,
Plaintiff,

No. 4:11-CV-2224-JAR

Defendant.

On May 20, 2013, Plaintiff filed a motion for extension of time to file a response to Defendant's Response in Opposition to Plaintiff's Motion for Summary Judgment [ECF No. 73], a motion for leave to file in excess of fifteen pages [ECF No. 75], as well as his Reply to Defendant's Response in Opposition to Plaintiff's Motion for Summary Judgment. [ECF No. 76] On June 17, 2013, Plaintiff filed a Memorandum with the Court stating that he received Defendant's response in opposition to his motion for summary judgment on April 26, 2013, making his reply due on May 17, 2013, the day the Court entered its Order and dismissed his action. [ECF No. 77]¹ Because the Court will grant Plaintiff's motion for extension of time and

¹ In his Memorandum, docketed as a Motion for Reconsideration, Plaintiff states he received the Court's Memorandum and Order on May 20, 2013, the same day he filed his response with the

permit him to file his seventeen page reply, Plaintiff's Memorandum/motion for reconsideration will be denied as moot.


The Court has reviewed Plaintiff's reply to Defendant's opposition to his summary judgment motion. Plaintiff raises no new arguments either in support of his motion or in opposition to Defendant's motion that could cause the Court to reconsider its previous rulings. For the reasons set out in the Court's May 17 Memorandum and Order and incorporated by reference herein, Plaintiff's reply, construed as a motion for reconsideration, will be denied.

Accordingly,

IT IS HEREBY ORDERED that that Plaintiff's Motion for Two Day Extension [73] and Motion for Leave to File in Excess of Fifteen Pages [75] are **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's Memorandum, docketed as a motion for Reconsideration [77] is **DENIED** as moot.

IT IS FURTHER ORDERED that Plaintiff's Reply to Defendant's Response in Opposition to Plaintiff's Motion for Summary Judgment, construed as a motion for reconsideration is **DENIED**.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE

Dated this 2 day of August, 2013.

Court following his request for a two day extension. Plaintiff maintains his paperwork was submitted to the Court before the Court's paperwork was delivered to him. Because he had not received any response from the Court, Plaintiff filed his Memorandum.